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AMENDMENTS TO LB 573

1 1. Insert the following new section:

2 "Sec. 4. Section 2-1213, Reissue Revised Statutes of

3 Nebraska, is amended to read:

4 2-1213. (1) No racing under sections 2-1201 to 2-1218

5 shall be permitted on Sunday except when approved by a majority of

6 the members of the State Racing Commission upon application for

7 approval by any racetrack. Such approval shall be given after the

8 commission has considered: (a) Whether Sunday racing at the

9 applicant track will tend to promote and encourage agriculture and

10 horse breeding in Nebraska; (b) whether the applicant track

11 operates under a license granted by the commission; (c) whether the

12 applicant track is in compliance with all applicable health,

13 safety, fire, and police rules and regulations or ordinances; (d)

14 whether the denial of Sunday racing at the applicant track would

15 impair such track's economic ability to continue to function under

16 its license; and (e) whether the record of the public hearing held

17 on the issue of Sunday racing at the applicant track shows

18 reasonable public support. Notice of such public hearing shall be

19 given at least ten days prior thereto by publication in a newspaper

20 having general circulation in the county in which the applicant

21 track is operating, and the commission shall conduct a public

22 hearing in such county. The commission may adopt, promulgate, and

23 enforce rules and regulations governing the application and

24 approval for Sunday racing in addition to its powers in section

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1 2-1203. If the commission permits racing on Sunday, the voters may
2 prohibit such racing in the manner prescribed in section 2-1213.01.
3 If approval by the commission for Sunday racing at the applicant
4 track is granted, no racing shall occur on Sunday until after 1
5 p.m.

6 No license shall be granted for racing on more than one
7 racetrack in any one county, except that the commission may, in its
8 discretion, grant a license to any county agricultural society to
9 conduct racing during its county fair notwithstanding a license may
10 have been issued for racing on another track in such county. Since
11 the purpose of sections 2-1201 to 2-1218 is to encourage
12 agriculture and horse breeding in Nebraska, every licensee shall
13 hold at least one race on each racing day limited to certified
14 Nebraska-bred horses, or from September 1, 2005, through January 1,
15 2008, for each live racing day, at least one race shall give
16 preference to Nebraska-bred quarter horses. Three percent of the
17 first money of every purse won by a certified Nebraska-bred horse
18 shall be paid to the breeder of such horse.

19 (2) For purposes of this section, Nebraska-bred horse
20 shall mean a horse registered with the Nebraska Thoroughbred or
21 Quarter Horse Registry and meeting the following requirements: (a)
22 It shall have been foaled in Nebraska; (b) its dam shall have been
23 registered, prior to foaling, with the Nebraska Thoroughbred or
24 Quarter Horse Registry; and (c) its dam shall have been
25 continuously in Nebraska for ninety days immediately prior to
26 foaling, except that such ninety-day period may be reduced to
27 thirty days in the case of a mare in foal which is purchased at a

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1 nationally recognized thoroughbred or quarter horse blood stock
2 sale, the name and pedigree of the mare being listed in the sale
3 catalog, and which is brought into this state and remains in this
4 state for thirty days immediately prior to foaling.

5 The requirement that a dam shall be continuously in
6 Nebraska for either ninety days or thirty days, as specified in
7 subdivision (2)(c) of this section, shall not apply to a dam which
8 is taken outside of Nebraska to be placed for sale at a nationally
9 recognized thoroughbred or quarter horse blood stock sale, the name
10 and pedigree of the mare being listed in the sale catalog, or for
11 the treatment of an extreme sickness or injury, if written notice
12 of such proposed sale or treatment is provided to the secretary of
13 the commission within three days of the date such horse is taken
14 out of the state.

15 The commission may designate official registrars for the
16 purpose of registration and to certify the eligibility of
17 Nebraska-bred horses. An official registrar shall perform such
18 duties in accordance with policies and procedures adopted and
19 promulgated by the commission in the current rules and regulations
20 of the commission. The commission may authorize the official
21 registrar to collect specific fees as would reasonably compensate
22 the registrar for expenses incurred in connection with registration
23 of Nebraska-bred horses. The amount of such fee or fees shall be
24 established by the commission and shall not be changed without
25 commission approval. Fees shall not exceed one hundred dollars per
26 horse.

27 Any decision or action taken by the official registrar

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- 1 shall be subject to review by the commission or may be taken up by
- 2 the commission on its own initiative.".
- 3 2. Renumber the remaining sections accordingly.